

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA - ATLANTA DIVISION

IN RE:

SHALIA LATOYA CREDELL,

Debtor.

CASE NO. 18-68715-lrc

CHAPTER: 13

JUDGE: HONORABLE LISA RITCHEY  
CRAIG

OBJECTION TO CONFIRMATION OF PLAN AND MOTION TO DISMISS CASE

COMES NOW Wells Fargo Bank, N.A., (hereinafter known as "Creditor"), a secured creditor holding a Security Deed on real property commonly known as 3090 Sumter Rd, Camden, New Jersey 08104-2700, and for the reasons stated below, objects to confirmation of the Plan and moves to dismiss this case, as follows:

1. Creditor anticipates filing a pre-petition arrearage claim in the approximate amount of \$4,766.65, more particularly described in the proof of claim once filed. The plan calls for an estimated pre-petition arrearage amount of \$3,500.00 with monthly disbursements on this claim in the amount of \$50.00 increasing to \$447.00 to start August, 2021. Debtor has underestimated the amount of the arrearage due to the Creditor. As such, the Plan will exceed 60 months, contrary to 11 U.S.C Section 1322 (d)(2).

2. Creditor reserves the right to raise the failure of Debtor to have made post-petition payments, if at confirmation that appears to be the case.

WHEREFORE, Creditor prays that the Court deny confirmation of the Plan and moves to dismiss this case. Creditor prays for reasonable attorney's fees and for such other and further relief as is just and equitable.

/s/ 

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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify under penalty of perjury that I am, and at all times hereinafter mentioned, was more than 18 years of age, and that on the December 21, 2018, I served a copy of OBJECTION TO CONFIRMATION OF PLAN AND MOTION TO DISMISS CASE which was filed in this bankruptcy matter on the December 21, 2018, in the manner indicated:

**The following parties have been served via e-mail:**

Talitha S. Fleming  
tflemingecf@flemingbk.com

Melissa J. Davey  
mail@13trusteeatlanta.com

**The following parties have been served via U.S. First Class Mail:**

Shalia Latoya Credell  
7256 Toccoa Circle  
Union City, GA 30291

**I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
AND CORRECT.**

Dated: December 21, 2018

Signature: /s/Kewanna D. Vergara

Printed Name: KEWANNA D. VERGARA

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